

Attorney Docket No. 6197.214-US
Kanstrup et al.
Serial No. 10/621,302
Filed July 17, 2003
Via Facsimile No.: 571-273-8300

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RESPONSE

The examiner states in the Office Action Summary that claims numbered 1-10 are pending in the application; claims numbered 1 and 2 are rejected; and, claims numbered 3-10 are objected to.

35 U.S.C. §112, Second Paragraph Rejection

The examiner has rejected claims numbered 1-2 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner states: "The second choice for R⁸ is unclear. An amidoxime is a general class of molecules with the formula R-C(NH₂)NOH. As a molecule, it has no valence, and it cannot be a substituent. Further, even as a moiety, it is unclear how it is attached. If attached via the O, it would be an oxime ether, but attached via the N it would be an amino substituent. It could be attached via removal of H from the R group, to give -R-C(NH₂)NOH. In all three cases, it is unclear what R is intended to be. The 4th possibility would be to remove the R itself to give the -C(NH₂)NOH group."

Applicants respectfully assert one skilled in the art reading the claims as presented would readily recognize amidoxime (as selected from the substituents grouped under R⁸) is intended as a substituent on R⁴ or R⁵, and therefore is logically represented by -C(=NOH)NH₂. However, in order to expedite prosecution, Applicants have amended claim number 1 to remove the term "amidoxime."

Applicants respectfully request reconsideration and withdrawal of the rejection of claims numbered 1-2 under 35 U.S.C. §112, second paragraph.

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The examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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